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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,453	07/05/2001	Gerald Francis McBrearty	AUS9-2001-0338-US1	4097

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EXAMINER
NGUYEN, TRI V

ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/899,453	MCBREARTY ET AL.
	Examiner	Art Unit
	Tri V. Nguyen	3622

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _05 July 2001_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-20_ is/are rejected.

7) ☒ Claim(s) _6, 12 and 18_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _05 July 2001_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because of undue length (189 words). The guideline for the length of the abstract is at most 150 words. Correction is required. See MPEP § 608.01(b).

Claim Objections

Claims 6, 12 and 18 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims 6, 12 and 18 describe a system, a method and a program further including a web browser. Claims 6, 12 and 18 do not further limit the subject matter of claims 1, 7, and 13 respectively since a web browser is an integral part of accessing the web.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ng

(6,405,175).

Claim 1: Ng discloses in a World Wide Web (Web) communication network with user access through a plurality of data processor controlled user interactive receiving display stations, a system for buying products offered from Web sites comprising:

    a. means at a receiving display station for displaying a Web page accessed from a Web site (col 5, lines 27-36 and Fig 2, element 40);

    b. means for selecting a product offered for sale from said Web page (col 3, lines 44-49; col 8, lines 36-45; col 11, lines 2-20; col 15, lines 25-30 and Fig 2);

    c. means for storing at said receiving station, a set of predetermined search queries respectively to each of a set of Web database sites for data related to attributes of a selected product (col 11, lines 20-21; lines 55-59 and Fig 2); and

    d. means responsive to a selection of a product for sending said search queries to said Web database sites to thereby provide a purchase profile of the product (col 11, lines 2-17; lines 43-53 and Fig 2).

Claim 2: Ng discloses the Web system for buying products of claim 1 wherein said means for sending said search queries are automatically responsive to said selection of said product (col 11, lines 2-20).

Claim 3: Ng discloses the Web system for buying products of claim 1 wherein one of said search queries is sent to a database Web site providing data on the quality of the Web sites offering products (col 8, lines 64-67 and col 10, lines 2-47).

Claim 4: Ng discloses the Web system for buying products of claim 1 wherein one of said search queries is sent to a database Web site providing data on the quality of the selected product (col 17, lines 57-67 and col 18,lines 1-34).

Claim 5: Ng discloses the Web system for buying products of claim 1 wherein one of said search queries is sent to a database Web site providing data on the comparative price of the selected product at a plurality of Web sites offering the product (col 5, lines 27-34; col 6, lines 64-67; col 7, line 1 and col 7, line 15-21).

Claim 6: Ng discloses the Web system for buying products of claim 1 further comprising: Web browsing means at said receiving display station including:

   a. said means for displaying a Web page accessed from a Web site (col 5, lines 27-36 and Fig 2, element 40);

   b. said means for selecting a product offered for sale from said Web page (col 3, lines 44-49; col 8, lines 36-45; col 11, lines 2-20; col 15, lines 25-30 and Fig 2);

   c. said means for storing a set of predetermined search queries respectively to each of a set of Web database sites for data related to attributes of a selected product (col 11, lines 20-21; lines 55-59 and Fig 2); and

   d. said means responsive to a selection of a product for sending said search queries to said Web database sites (col 11, lines 2-17; lines 43-53 and Fig 2).

Claim 7: Ng discloses in a Web communication network with user access through a plurality of data processor controlled user interactive receiving display stations, a method for buying products offered from a plurality of Web sites comprising:

   a. displaying a Web page accessed from a Web site at a receiving display station (col 5, lines 27-36 and Fig 2, element 40);

   b. selecting a product offered for sale from said Web page (col 3, lines 44-49; col 8, lines 36-45; col 11, lines 2-20; col 15, lines 25-30 and Fig 2);

   c. storing at said receiving station, a set of predetermined search queries respectively to each of a set of Web database sites for data related to attributes of a selected product (col 11, lines 20-21; lines 55-59 and Fig 2); and

    d. sending said search queries to said Web database sites responsive to a selection of a product to thereby form a purchase profile of the product (col 11, lines 2-17; lines 43-53 and Fig 2).

Claim 8: Ng discloses the method for buying products of claim 7 wherein said step of sending said search queries is automatically responsive to said selection of said product (col 11, lines 2-20).

Claim 9: Ng discloses the method for buying products of claim 7 wherein one of said search queries is sent to a database Web site providing data on the quality of the Web sites offering products (col 8, lines 64-67 and col 10, lines 2-47).

Claim 10: Ng discloses the method for buying products of claim 7 wherein one of said search queries is sent to a database Web site providing data on the quality of the selected product (col 17, lines 57-67 and col 18,lines 1-34).

Claim 11: Ng discloses the method for buying products of claim 7 wherein one of said search queries is sent to a database Web site providing data on the comparative price of the selected product at a plurality of Web sites offering the product (col 5, lines 27-34; col 6, lines 64-67; col 7, line 1 and col 7, line 15-21).

Claim 12: Ng discloses the method for buying products of claim 7 further comprising: a Web browsing process at said receiving display station including:

    a. said step of displaying a Web page accessed from a Web site (col 5, lines 27-36 and Fig 2, element 40);

    b. said step of selecting a product offered for sale from said Web page (col 3, lines 44-49; col 8, lines 36-45; col 11, lines 2-20; col 15, lines 25-30 and Fig 2);

    c. said step of storing a set of predetermined search queries respectively to each of a set of Web database sites for data related to attributes of a selected products (col 11, lines 20-21; lines 55-59 and Fig 2); and

    d. said step of sending said search queries to said Web database sites responsive to a selection of a product (col 11, lines 2-17; lines 43-53 and Fig 2).

Claim 13 describes a computer program having a code recorded on a computer readable medium of claims 1 and 7; therefore, the prior arts of Ng as set fort above in claims 1 and 7 are relied upon to reject claim 13 (*cf.* claims 1 and 7 above).

Claim 14 describes a computer program having a code recorded on a computer readable medium of claims 2 and 8; therefore, the prior arts of Ng as set fort above in claims 2 and 8 are relied upon to reject claim 14 (*cf.* claims 2 and 8 above).

Claim 15 describes a computer program having a code recorded on a computer readable medium of claims 3 and 9; therefore, the prior arts of Ng as set fort above in claims 3 and 9 are relied upon to reject claim 15 (*cf.* claims 3 and 9 above).

Claim 16 describes a computer program having a code recorded on a computer readable medium of claims 4 and 10; therefore, the prior arts of Ng as set fort above in claims 4 and 10 are relied upon to reject claim 16 (*cf.* claims 4 and 10 above).

Claim 17 describes a computer program having a code recorded on a computer readable medium of claims 5 and 11; therefore, the prior arts of Ng as set fort above in claims 5 and 11 are relied upon to reject claim 17 (*cf.* claims 5 and 11 above).

Claim 18 describe a computer program having a code recorded on a computer readable medium of claims 6 and 12; therefore, the prior arts of Ng as set fort above in claims 6 and 12 are relied upon to reject claim 18 (*cf.* claims 6 and 12 above).

Claim 19: Ng discloses the computer program of claim 18 wherein said Web browser program further includes a plug-in program including:

    a. said means for storing a set of predetermined search queries respectively to each of a set of Web database sites for data related to attributes of a selected product (col 9, lines 53-65; col 11, lines 20-21 and col 11, lines 55-59); and

    b. said means responsive to a selection of a product for sending said search queries to said Web database sites (col 3, lines 44-49; col 8, lines 36-45; col 11, lines 2-20 and col 15, lines 25-30).

Claim 20: Ng discloses the computer program of claim 19 further including:

    a. means for adding or deleting predetermined search queries to said set of queries (col 9, lines 53-69 and Figs 3 and 7); and

    b. means for adding or deleting Web database sites to said set of Web database sites (col 5, lines 34-43 and Fig 3).

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

a. Bailey et al. (6,785,671) discloses a system and a method for locating web-based product offerings using a crawler program and indexing the results in searchable databases.

b. Rothschild (6,651,053) discloses an interactive system for investigating products on a network, storing the product information and showing the results upon a query by a user.

c. Chanos (US 2002/0032597) discloses a system and a method for providing request based consumer information.

d. www.epinions.com discloses a website that features a searchable database of product information including rating of the product and the merchant offering the product.
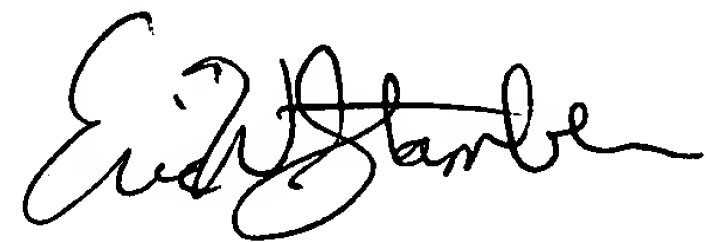
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri V. Nguyen whose telephone number is (571) 272-6965. The examiner can normally be reached on M-F 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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